G.R.S. 57.]

File No. Legis 2.3 16

Serial Nos. 1–5

(P-33)

1917.

# GENERAL AND REVENUE SECRETARIAT.

(Legislation)

*Part A: Manuscript*

~~1917~~

## Serial Nos. 1–5

Subject:- Extension of the term of office of the members of the Legislative Council (R.A. 3-16) – Amendment of the Legislative Council Regulation, 1916.

GPB—5,000—20-3-06.

R. S. 11] 1916

GENERAL AND REVENUE SECRETARIAT.

(Legis )

NOTES.

File No. 23-16

FILE HEADING.

Extension of the term of office of the Members of the Legislative Council — (G.R.A. 3-16) — Amendment of the Legis. Council Regulation

From

| No. | Dated | Received |
|---|---|---|
| Diary No. | Enclos. Spare Copies. | Serial No. |

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Legis 23-16

2

2

SUBJECT No. 3.

Extension of the term of office of the Legislative Council members.

Mr. H. Krishnasastri, Krishnarajpete Taluk.

*Summary of discussion.*—Under the present system the Representative Assembly members are elected once in three years and the Legislative Council members once in two years. It may sometimes happen that the elected Legislative Council member will continue as such even though he ceases to be a member of the Representative Assembly. To avoid this, the term of office of a Legislative Council member may also be made three years. Here, the term of office of all other bodies is three years. Even in British India the term of office of a member of the Legislative Council is now three years.

*Reply of Government.*—Will be considered. The prayer seems reasonable.

Sect. Notes:-

Under Section 6 of the Mysore Legislative Council Regulation, the term of each member is fixed at two years. If the suggestion is to be complied with the Regulation has to be amended.

In British India till 1909 the term of office of a member in each of the Legislative Councils was only two years. But under the Regulations passed under the Indian Councils Act, 1909, the term of office of an elected or nominated member in each of the Legislative Councils has been fixed at three years.

2A. 3-16

WD 1233—GPB—60,000—1-12-16—S.

3 3

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 23 of 1916.

| Serial No. | |
|---|---|
| | Subv. ~~vatta a draft Bill~~. Sec: 6 of the Mysore Legislative Council Regns, 1907, requires to be amended suitably A draft Bill with St. of objects and reasons is put up. |
| | 20/1/17 2) Before legislation is undertaken, the question whether alteration of the period from 2 to 3 years is necessary should be decided. The reasons for this change are then mentioned in the Summary of discussion printed above. In view of the answer given at the meeting it is a point for orders whether legislation is necessary or may be undertaken. |
| | 23/1. |
| 1496 22/1 | Dist. Munsiff) 3) The Dewan approves this representation may be considered at a meeting of the Council when |
| 4216 23.1.17. | Dewan) 22/1 Dewan 22/1/17 |
| | 4) I agree 23.1.17 do |
| | Secy 23/1 25/1/17 |

NOTE—Contn. sheet.

(For disposal at an Informal meeting) No. C. 98-2/17 4

30 : 1 : 191 17

# GENERAL AND REVENUE SECRETARIAT.

**Council Matter.**

---

## SUBJECT.

Question of extending the term of office of the Members of the Legislative Council from two to three years.

5) CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

Secretary to Government.

29th January 191 7

---

**Extraordinary Member of Council.** 29.4.17.

**First Member of Council.** Seen.

441 / 26-1-17 **Second Member of Council.** 31.1

WD 2012—GPB—1 000—9-2-16

45

Extract from the Proceedings of the 418th Meeting of the Council of His Highness the Maharaja, held at Mysore on the 2nd June 1917

9. Subject.- (Clause viii of the schedule.)

Question of extending the term of office of the members of the Legislative Council from two to three years.

OPINION OF THE COUNCIL.

6) The term of office of a member of the Legislative Council under section 6 of the Regulation, may be raised from 2 to 3 years.

7) It should be ruled that a member of the Representative Assembly elected to the Legislative Council should vacate his seat on the Council after he ceases to be a member of the Representative Assembly or after his term on the Council is over, whichever happens earlier.

(Sd) M.Visvesvaraya,
Dewan of Mysore.

"EXTRACT"

D.M. Narayana Rao 7/16

Secretary to Government,
General Department.

WD—156—GPB—1,000—19-7-16

⑤ 6
5

G. R. S. 12]

General and Revenue Secretariat. File No. of 191

Serial No.

~~5~~) To the Assistant Secretary, Br. III for kindly submitting the file to the First Member of Council, with a Draft Final Note.

Dwell
5/6
5/6

9) Subd. with a draft Final Note and a draft submn note.
4/6/17

10) In favour of Kind approval
Ss
4/6

First Member)

11) Cabled
WWS
6/6

12) Fair final note signed after 1st member is put up with a DLR No

3409
6.6.17

WW
6/6/17
Dewan)

Dwell & Cabled
6/6
6/6

6962
8.6.17

NOTE—Contn. sheet.

GPB—70,000—17-12-15

7
6

**Final Note by the First Member of Council.**

---

**Subject:—**

Question of extending the term of office of the Members of the Legislative Council from two to three years.

---

13) The question of extending the term of office of the Members of the Legislative Council from two to three years as in British India was moved in the Representative Assembly in 1916. Under the present system the Representative Assembly Members are elected once in three years, and the Members of the Legislative Council once in two years. It may sometimes happen, that an elected Legislative Council Member may continue as such even though he ceases to be a member of the Representative Assembly. The question was considered in Council who are of opinion that the term may be raised from two to three years by amending section 6 of the Mysore Legislative Council Regulation and that it should be ruled that a member of the Representative Assembly elected to the Legislative Council should vacate his seat on the Council after he ceases to be a member of the Representative Assembly or after his term on the Council is over, whichever happens earlier. The approval of His Highness the Maharaja is required for placing the Bill for amending section 6 of the Mysore Legislative Council Regulation before the Legislative Council. Necessary action for amending the rules for election of Members to the Legislative Council from the Representative Assembly will be taken after the Regulation is amended.

Page 2 of Office Notes

Page 4 of do

D1

6th June 1917

7 8

*Submitted to His Highness.*

A 14) I submit herewith a final note by the First Member of Council on the question of extending the term of office of the Members of the Legislative Council from two to three years for the gracious approval of His Highness.

bm

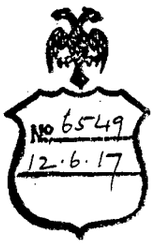
12th Jan. 1917.

(95)

98

Record of Cases submitted for the Orders of His Highness the Maharajá.

*Subject.*




Extension of the term of office of the Members of the Legislative Council from two to three years.

*Order.*

1258

15) ~~KRW~~
14.6.17

188
21-6-17

WT
22/6

3559
20.6.

Lees
15/6 Secy to G

Secy
25.6.17

Secy
15.6.17

16) Draft letter to Secy 16/6/17

G. R. S. 12]

General and Revenue Secretariat. File No. of 191

10
9

| Serial No. | |
|---|---|
| 17) | Subd. with a draft to the Residency<br>16/6/17 |
| | 18) Issued 16/6 |
| 1 | To The J. A. Residency<br>No Pol 1250 18th June<br>Forwards a Bill Butter to amend the Imperial Legislative Council Regulation 1907. |
| 2 | No 4864 dated 25th June 1917<br>From the J. A. Resident<br>Informs that the Resident has no prima facie objection to the Bill being placed before the Legis Cl. |
| 3 | No 954 dated 6th July 1917<br>To the J. C. Mysore<br>~~Informs~~ Requests him to inform the A. A. Member who moved subject No 73 of the second session of the R. A. of April 1917 that a Bill to amend the Mysore Legis. Cl. Regs 1907 suitably is now before the Legis. Cl |

NOTE—Contn. sheet.

GPE—60,000—7-11-13

MD 1283—GPB—60,000—1-12-16—S.

(2) 11/73 D

G. R. S. III-2]

General and Revenue Secretariat. File No. of 191

SUBJECT No. 73. V
of 1917 April session.

Extension of the term of office of the Legislative Council Members,

Messrs. V. Rangaswami Iyengar, Seringapatam taluk and H. Krishnasastri, Krishnarajpete taluk.

*Summary of discussion.*—The term of the members of the Legislative Council may be extended to three years, so that it may be coterminous with that of the Representative Assembly Members and other bodies. Since the term of the members of the Representative Assembly continues till the Dasara Session of 1918, the term of the members of the Legislative Council may be extended till then. The present rule of 2 years was fixed on the analogy of the rule then in force in British India. But the period has since been raised to 3 years there. The period may accordingly be increased here also.

*Reply of Government.*—Will be considered.

2) Secretary.— The question is under consideration vide Legis 23-16

3) Finance Member views — I see no objection to grant the prayer I believe the term in British India is three years.—

19) For III to kindly note the present stage of the Case & put up reports & Subsequently or return to R Secretariat

23/5-17

For III

GEN. & REV. SECRETARIAT III JUDICIAL 25 MAY 1917

J Mis 1790-16

20) A Bill to amend the Mysore Legis. Council Regulation, 1907, so as to extend the term to 3 years will be placed before the Legislative Council on the 29th inst. The file is not at present available.

27/6/17

2) The Dasara section

Submitted

27.6.17

NOTE—Contn. sheet.

4 73-16

Jan 1917

12
(3)
11

G. R. S. 12]

General and Revenue Secretariat. Legs File No. 23 of 1916.

Serial No.

27) Have put up a draft framing the Members recommendations

HP
27/6-17

28) Draft submitted. for approval or other orders thereon

PHR 27/6/17 HP
27/6-17

Gen Legs) Secy 27 WJ 2/7/17

24) Please issue W 3/7/17

Legs 3/7

1/2 III)

25) Subd
Secy
3.7.17

88
3/7

3 No J 54 dated 6th July 1917
to the S. C. Mysore &c

Requests him to inform the member who moved the subject in the R. A. (April 1917) that a Bill to amend the Mysore Legis. Cl. Regn. suitably is now before the Legis. Cl.

NOTE—Contn. sheet.

2788

WD 1233—GPB—60,000—1-12-16—S.

13

12

G. R. S. III-2

General and Revenue Secretariat.

Legis. File No. 23 of 1916.

| Serial No. | |
|---|---|
| 26 | Leave to introduce into the Legis. Cl. the Bill further to amend the Mysore Legis. Cl. Regulation, 1907, was granted on the 29th June 1917. The file is submitted as ordered. 6/9/17 |
| 27 | Before the Bill is finally published attention is respectfully invited to the Committee Resolution on the subject of amendment. On a further consideration of the question it seems doubtful if a rule can be validly framed to the effect that a member of the R.A. elected to the Legislative Council should vacate his seat on the Council after he ceases to be a member of the R.A. or after his term in the Council is over, whichever happens earlier. Under S 5, rules can no doubt be framed as to the conditions under which Selections may be made, but the language may not be considered comprehensive enough to include a condition that he shall vacate his seat in the Legislative Council if he ceases to be a member of the R.A. I mean the language gives room for doubt. If approved, the following words 'subject to such conditions as |

NOTE—Contn. sheet

WD 1233—GPB—60,000—1-12-16—S.

2758

14

13

G. R. S. III-2

General and Revenue Secretariat.

Legs File No. 23 of 1916-17

| Serial No. | |
|---|---|
| | Govt may prescribe in this behalf "between the word "shall" and the word "continue" in S 6. There will be no room for doubt in such a case. If this amendment is approved, the Bill will be published in the Gazette with the alterations and the fact intimated also to the Residency otherwise the Bill will have to be referred to the Select Committee and the amendment made there.<br>Submitted for favour of orders<br>BS 6/7 |
| | First Member<br>Let us amend now and publish the Bill<br>1/7 BS<br>Draft-letters & Draft-Notif<br>BS 7.7 |
| 30 | Submitted with two drafts one no and the other letter to the Residency with the Bill and St. Govt suitably amended.<br>10/7/17 30) Submitted for favour of approval<br>BS 10/7 |
| | First Member<br>Drafts approved by the first Member<br>CO. 7. 17 |
| 33 | BS 11/7 |

84
7/7

126

NOTE—Contn. sheet.

F(4) To Mr F. A. Rendell
in Mysore
Vol 36 Pg 13-7-17
Forwards a revised Para 15

13

G.R.S. III—3]

## Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

39) If approved, the following clause as typed, will be moved in the Bill to amend the Legislative Council Regulations

40) If the proviso is not moved, there will be two elections, one for the District in March, and the other for the Representative Assembly in October, under the existing system of 2 elected members who lose their chance in the Rep. Assembly will have again a chance in the District Elections. The same addl. clause as under the proposed amendment can be moved if the two elections are held at a short interval, in Sept or October

Submitted for orders

Sd
2/18

*N.B.*—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Secretary

W.D. 84—GPB—60,000 23-7-18

C. 184
24.9.17

16

Extract from the Proceedings of the 432nd Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 22nd Septr 1917.

16

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15. Subject.- (Clause ii of the schedule.)

Bill further to amend the Mysore Legislative Council Regulation.

OPINION OF THE COUNCIL.

41) The following shall be inserted as an additional clause:-

" (2) This Regulation shall have retrospective effect in the case of the existing members from the dates of their respective appointments.

Provided that in the case of the members elected from the districts, the period of their appointment shall be deemed to continue till the 1st November 1918."

(Sd.) M.Visvesvaraya,
Dewan of Mysore.

"EXTRACT"

C S Balasundaramayya

Secretary to Government,
General Department.

WD—156—GPB—1,000—19-7-16.

ND 1233—GPB—60,000—1-12-16—S.

2788.

G. R. S. III-2]

General and Revenue Secretariat.

Legs File No. 23 of 1916-17

| Serial No. | |
|---|---|
| 42) | Leave to introduce the Bill was granted by the Legis. Cl. on 29th June 1917 and was finally passed by the Council on 28/10/17 with a slight amendment after suspending the Rules of Business. His Highness' sanction is required for passing the Bill into law. ~~A~~ f.n and d.s.n. are put up with a copy of the Bill as passed. |
| 8/10/17 | 43) No member has been appointed in lieu (vice) place of Mr K.S Narayana Rao. If any one is appointed subsequent to the passing of this Regulation, he may continue as Member for 3 years from that date. Inasmuch as the object is that all should be appointed at one and the same time, it may become desirable that the Members be asked to resign in Oct 1918, & reappointed again in Nov. As this Bill however, has to be enacted immediately i.e from 1st Nov 1917, a draft Note is submitted for approval |
| | 8/10 |
| | Asst to Members |
| | 44) |
| | 9/10 |
| 45) | Fair draft as is put up. 9/10/17 signed by the 1st Member |

1461
9.10.17
NOTE—Contn. sheet.

18

Final Note by the First Member of Council

---

Subject:— Bill further to amend the Mysore Legislative Council Regulation, 1907.

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The Bill further to amend the Mysore Legislative Council Regulation, 1907, so as to extend the period of office of a member from two to three years was finally passed by the Legislative Council on the 28th September 1917.

The gracious sanction of His Highness the Maharaja is required to promulgate the Bill into law.

Subbarayan

24 Oct 1917

19

*Submitted to His Highness.*

N *I submit herewith a Final Note by the* First *Member of Council on the subject of* the Bill further to amend the Mysore Legislative Council Regulation, 1907, *for His Highness' gracious approval.*

M. Visvesvaraya

*Dewan.*

18th July 1917

1812

20

Record of Cases submitted for the Orders of His Highness the Maharaja.

## *Subject.*

Promulgation into law of the Bill further to amend the Mysore Legislative - Council Regulation, 1907.

440

## *Order.*

~~KRW~~
13/10/17

Chief Secretary
14.10.17

1554
21.10.17

21/10

To issue
Draft

160
21.10.17

D 1233—GPB—60,000—1-12-16—S.

21

2788

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 23 of 1916.

| Serial No. | |
|---|---|
| | Subd. with a draft to the Compiler, Mysore Gazett. CB 18/10/17 |
| 15 | To The compiler Mysore Gazette. No D 1358 18th Oct 1917 Notifies the promulgation into law of the Bill further to amend the Mysore Legislative Council Regulation 1907. |

Inwards Out CB 20/10

A 20/10/17

22

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

*Diary No. of letter replied to*.....

Section Legis
File No. 23-16
Serial No.

GENERAL AND REVENUE SECRETARIAT

*the* *191*

No. Pol. 1250/Ex.2.

*Date of issue* 18th June 1907

*Signature* [illegible]

To

The F. A. Resident

Sir

I am directed to forward herewith a Bill further to amend the Mysore Legislative Council Regulation, 1907. The statement of objects and reasons accompanying the Bill explains its scope and object.

The Bill will be placed before the Legislative Council

*over.*

23

In due course.

I have &c

Sir

Secretary, to Govt

G.S.

NGL

1816

*List of enclosures.*

Two
NGL 18.6.17

*Copied by*

*Examined by*

W D86—GPB—60,000—15-11-16

Bill further to amend the Mysore Legislative Council Regulation, 1907.

Whereas it is expedient further to amend the Mysore Legislative Council Regulation, 1907, His Highness the Maharaja is pleased to enact as follows:-

Amendment of section 6 of the Regulation.

In section 6 of the Regulation, for the word "two" the word "three" shall be substituted.

# Statement of Objects and reasons

The Representative Assembly in 1916 requested Government to extend the term of office of the ~~nominated~~ additional members of the Legislative from two to three years

In British India under the Regulations issued under the Indian Councils Act 1909, the term of office of the members of every Legislative Council ~~State~~ was increased from two to three years and Government also consider that it is desirable to do so here also.

The ~~Regn~~ Mysore Legislative Council Regulation, 1907, is accordingly proposed to be amended.

No. 4864.

M. & REG. BR. 26
25 JUN 1917

Pol. 2127
26-6-17

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

GEN. & JUDICIAL SECRETARIAT
25 JUN 1917

J-2788
16-17
Legis
23-16
2

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General Department.

*Dated Bangalore,* 25th June 1917.

SIR,

I am directed to acknowledge the receipt of your letter No.1250 Pol., dated the 18th June 1917, forwarding a copy of a Bill further to amend the Mysore Legislative Council Regulation, 1907, and to say that the Resident sees no frima facie objection to the Bill being laid befofe the Legislative Council.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident.

R. O. 2.—R. P. B.—6-1917.—500.

2 copies Re. Extension of the term of office of Legislative Council members

G. R. S. 26]

File No. 23-K

Serial No. 73

*Diary No. of letter replied to* .....

No. 754

General and Revenue Secretariat

( )

*the* *191*

**To**

The Deputy Commissioner, Mysore Dt.

Sir,

Date of issue 6/7/17

Signed by M. C. Srinivasa Iyr

With reference to subject No. 73 of the second session of the Rep. Assembly, held in April 1917, suggesting the extension of the term of office of the Legislative Council Members to three years, I am directed to request you to be so good as to communicate to the members noted in the margin, that a bill to amend the Mysore Legislative Council Regulation with a view to effect the proposed change, is now before the Legislative Council.

I have etc.,

6/7/17 over.

For Secy., to Govt., Gen. Dept.

Messrs. V. Rangaswamiengar, Seringapatam taluk, and H. Krishna Sastri, Krishnarajapete taluk.

SUBJECT.

BHR 2/7/1917

over 7/17

Copy to R. A. Section

~~2 [illegible]~~ 28

G. R. S. VI—G/32] 6 2/7

SUBJECT.....

.....

.....

*Diary No. of letter replied to*.....

GENERAL AND REVENUE SECRETARIAT,
( )
*the* *191* .

*Date of issue* 13th July 1917

*Signed* for C. Sankaranarayana Rao

**Section**

**File No.**

**Serial No.** 4

No. Pol. 36/Ex. one

To

The J. A. Resident

Sir

In continuation of my letter No Pol. 1250 dated 18th June 1917 forwarding a Bill further to amend the Mysore Legislative Council Rg 1907, I am directed to forward herewith a revised Bill thereof and to request that the same may you to be so good as to substitute the

over.

Ds 2/7/17

29

Ack for the one already sent.

I have &c

48/10

for Secretary to Govt

G. D

Letter 10/7/17

*List of enclosure*

Two

NK 13.7.17

*Copied by*

*Examined by*

WD 86—GPB—60.000—15-11-16

NOTIFICATION.

*No. 32—L. C., dated 12th July 1917.*

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill further to amend the Mysore Legislative Council Regulation, 1907, is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
*Secretary, Mysore Legislative Council.*

## A Bill further to amend the Mysore Legislative Council Regulation, 1907.

Whereas it is expedient further to amend the Mysore Legislative Council Regulation, 1907 ; His Highness the Maharaja is pleased to enact as follows :—

Amendment of Section 6 of the Regulation.

In Section 6 of the Regulation, between the words "shall" and "continue" the words "subject to such conditions as Government may prescribe in this behalf" shall be inserted and for the word "two" the word "three" shall be substituted.

*Statement of Objects and Reasons.*

The Representative Assembly in 1916 requested Government to extend the term of office of the additional members of the Legislative Council from two to three years.

In British India under the Regulations issued under the Indian Councils Act, 1909, the term of office of the members of every Legislative Council was increased from two to three years and Government consider that it is desirable to do so here also. The Mysore Legislative Council Regulation, 1907, is accordingly proposed to be amended.

Further when a member elected by the Mysore Representative Assembly ceases before the expiry of his term of office as member of the Legislative Council, to be a member of the Assembly it is considered desirable that he should cease to be a member of the Legislative Council also. Hence power is also proposed to be taken for Government framing a rule in this behalf.

G. R. S. VI.—s-III/14]

**DRAFT.**

SUBJECT.....

.....

.....

**Section.**
**File No.**
**Serial No.** 5

*Proceedings of the Government of H. H. the Maharaja of Mysore.*

*Diary No. of letter replied to*.....

Order No. J 1358 Encl?

Ordered that the accompanying.....
Regulation to amend the Mysore Legislative Council Regn.

GENERAL AND REVENUE SECRETARIAT,

( )

*the*.....*191*

which received the assent of His Highness the Maharaja, on the 13th ~~October 1917~~

*Date of issue* 18/10/17

day of October 1917 ~~191~~

*Signed by* W. G. Srinivasa

be published as Regulation No. IX of 191?; in the *Mysore Gazette* for general information.

18/10

*For Chief Secretary to Government.*

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of 200 spare copies in English, and 50 spare copies in Kannada to this office, and 50 spare copies in English and ~~50~~ 25 spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

in a Gazette Extraordinary alone and also

18/10/17

REGULATION No. IX OF 1917.

## A Regulation further to amend the Mysore Legislative Council Regulation, 1907.

*(Received the Assent of His Highness the Maharaja on the 13th day of October 1917.)*

Whereas it is expedient further to amend the Mysore Legislative Council Regulation, 1907; His Highness the Maharaja is pleased to enact as follows:—

Amendment of Section 6 of the Regulation.

1. In Section 6 of the Regulation, between the words "shall" and "continue" the words "subject to such conditions as Government may prescribe in this behalf" shall be inserted and for the word "two" the word "three" shall be substituted.

Regulation to have retrospective effect.

2. This Regulation shall have retrospective effect in the case of the existing members from the dates of their respective appointments:

Provided that the period of their appointment shall be deemed to continue till and to cease on the 1st November 1918.

M. VISVESVARAYA,
*Dewan.*